

**Before the
Federal Communications Commission
Washington, DC 20554**

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| In the Matter of: |) | |
| |) | |
| Implementing Kari’s Law and Section 506 of |) | ET Docket No. 18-261 |
| RAY BAUM’S Act |) | |
| |) | PS Docket No. 17-239 |
| Inquiry Concerning 911 Access, Routing, and |) | |
| Location in Enterprise Communications |) | |
| Systems |) | |

**COMMENTS OF
THE NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS COUNCIL**

The National Public Safety Telecommunications Council (NPSTC) submits these comments in response to the Notice of Proposed Rulemaking in the above captioned proceeding.¹ The Public Notice seeks comment on proposed rules to implement the provisions of Kari’s Law Act of 2017 that addresses 911 dialing on multiline telephones and Section 506 of RAY BAUM’S Act, concerning dispatchable location for 911 calls made from various telephone platforms, including multi-line telephone systems. NPSTC supports many of the rules the Commission proposes and urges expeditious implementation of Kari’s Law and the dispatchable location requirements contained in RAY BAUM’S Act.

¹ *Notice of Proposed Rulemaking*, PS Docket Nos. 18-261 and 17-239, released September 26, 2018.

The National Public Safety Telecommunications Council

The National Public Safety Telecommunications Council is a federation of public safety organizations whose mission is to improve public safety communications and interoperability through collaborative leadership. NPSTC pursues the role of being a resource and providing advocacy for public safety organizations in the United States on matters relating to public safety telecommunications. NPSTC has promoted implementation of the Public Safety Wireless Advisory Committee (PSWAC) and the 700 MHz Public Safety National Coordination Committee (NCC) recommendations. NPSTC explores technologies and public policy involving public safety telecommunications, analyzes the ramifications of particular issues and submits comments to governmental bodies with the objective of furthering public safety telecommunications worldwide. NPSTC serves as a standing forum for the exchange of ideas and information for effective public safety telecommunications.

The following 16 organizations serve on NPSTC's Governing Board:²

- American Association of State Highway and Transportation Officials
- American Radio Relay League
- Association of Fish and Wildlife Agencies
- Association of Public-Safety Communications Officials-International
- Forestry Conservation Communications Association
- International Association of Chiefs of Police
- International Association of Emergency Managers
- International Association of Fire Chiefs
- International Municipal Signal Association
- National Association of State Chief Information Officers
- National Association of State Emergency Medical Services Officials
- National Association of State Foresters
- National Association of State Technology Directors
- National Council of Statewide Interoperability Coordinators
- National Emergency Number Association
- National Sheriffs' Association

² These comments represent the views of the NPSTC Governing Board member organizations.

Several federal agencies are liaison members of NPSTC. These include the Department of Homeland Security (the Federal Emergency Management Agency, the Office of Emergency Communications, the Office for Interoperability and Compatibility, and the SAFECOM Program); Department of Commerce (National Telecommunications and Information Administration); Department of the Interior; and the Department of Justice (National Institute of Justice, Communications Technology Program). Also, Public Safety Europe is a liaison member. NPSTC has relationships with associate members: The Canadian Interoperability Technology Interest Group (CITIG) and the Utilities Technology Council (UTC), and affiliate members: The Alliance for Telecommunications Industry Solutions (ATIS), Open Mobile Alliance (OMA), Telecommunications Industry Association (TIA), TETRA Critical Communications Association (TCCA), and Project 25 Technology Interest Group (PTIG).

NPSTC Comments

In December 2013, 9-year old Brianna Hunt knew what to do when her mother, Kari, was being stabbed in a Texas hotel room. Brianna dialed 911. However, she could not get through. She tried four times as her mother was being murdered. What Brianna did not know is that in many businesses and hotels, this one included, the caller must dial a prefix, such as the number 9, prior to 911 to get an outside line.

After more than four years, Congress passed Kari's Law Act of 2017 which the President signed into law on February 16, 2018. The law requires that by February 16, 2020, multi-line telephone systems (MLTS) must be configured so a user can initiate a 911 call without dialing a prefix number. As addressed in the Commission's Notice of Proposed Rulemaking (NPRM), the effective date provision states that Kari's Law "shall apply with respect to a multi-line telephone

system that is manufactured, imported, offered for first sale or lease, first sold or leased, or installed after” February 16, 2020.³ Unfortunately, there is no requirement that existing equipment be updated or modified to provide 911 dialing without a prefix.

In the NPRM, the Commission proposes to apply the direct dialing requirement “for persons engaged in the business of manufacturing, importing, selling, or leasing MLTS, as well as persons engaged in the business of installing, managing, or operating MLTS, that track the obligations in Kari’s Law.”⁴ The Commission proposes specific definitions for these various parties. The NPRM indicates that a manufacturer could face enforcement action for offering to sell MLTS that is not pre-configured to support direct 911 dialing, and an MLTS operator could face enforcement action for operating the system when it is not configured so that users could dial 911 directly.⁵ The Commission also proposes “to apply a presumption that the MLTS manager bears ultimate responsibility for compliance with our proposed rules implementing Kari’s Law.”⁶ The NPRM requests comments on these proposals.

NPSTC is not an expert in MLTS, and looks forward to the comments of those who would be more directly involved in manufacturing, marketing, operating and managing MLTS systems. However, NPSTC notes that the proposed application of responsibility does appear to parallel the overall approach used in the wireless communications arena. In that situation, the Commission specifies requirements that manufacturers must meet to market and sell equipment, and provides rules specific to a licensee’s actual use of the equipment. That approach, together with enforcement when needed, generally has worked well. Accordingly, NPSTC supports the proposal.

³ NPRM at para. 15.

⁴ NPRM at para. 18.

⁵ NPRM at para. 42.

⁶ NPRM at para. 44.

The Commission seeks comment on “whether to modify our equipment authorization rules as they apply to MLTS equipment manufactured after February 16, 2020. Should MLTS applications for equipment authorization under Parts 2, 15, or 68 constitute a representation that such equipment complies with MLTS 911 requirements?”⁷ NPSTC recommends the Commission implement some formal process for compliance with the provisions of Kari’s Law as part of an equipment authorization process. The first line of implementation on the requirements in Kari’s Law lies with the MLTS equipment manufacturers to design the system with the required 911 direct dial capability. Although enforcement in response to equipment that does not comply is always an option, NPSTC believes a clear program up front to help seed compliance during the manufacturing process would go a long way to positively implement the provisions of Kari’s Law.

The second line of implementation lies with those who deploy and operate or manage the MLTS systems. It does not appear to be practical for all building designers, owners, leasing agents, users and managers of MLTS to be Commission licensees. Therefore, these parties should not be expected to have a natural awareness at the outset of Commission rules to the same extent as that held by Commission licensees of wireless systems. Accordingly, NPSTC believes the Commission will need to implement a significant awareness program to help ensure those in the MLTS user and manager communities charged with compliance are aware of the new rules implemented pursuant to Kari’s Law.

Kari’s Law also requires notification that the 9-1-1 call has been made. The notification must be transmitted to a central location at the premises or to another designated location. The notification is intended to alert personnel that first responders will be arriving. The Law does not specify what

⁷ NPRM at para. 46.

information needs to be included in the notification or the timing requirements for the notification. The Commission proposes that the recipient of the notification have the same information as the PSAP, that the MLTS be configured so that the notification is contemporaneous with the 911 call, and that the notification not delay placement of the call. NPSTC supports these proposals as we believe they are beneficial to public safety and the general public using 911.

The NPRM also proposes rules to implement Section 506 of RAY BAUM’S Act regarding dispatchable location. Section 506 of RAY BAUM’S Act requires the Commission by September 23, 2019 to “conclude a proceeding to consider adopting rules to ensure that the dispatchable location is conveyed with a 9-1-1 call, regardless of the technological platform used and including with calls from [MLTS].”⁸ In the NPRM, the Commission addresses proposed dispatchable location rules for MLTS, fixed telephony, interconnected VoIP service and Internet-based Telecommunications relay Services (TRS). The Commission states that it does not propose to establish dispatchable location requirements for wireless telecommunications services in this proceeding because it has already adopted dispatchable location rules for commercial mobile radios service providers (CMRS).

From a public safety perspective, NPSTC believes it is important to implement dispatchable location on all systems which the public could use to call 911. Members of the public calling 911 are focused on the need for assistance. The technological vehicle used to reach the PSAP is largely irrelevant to the caller—he or she just needs public safety’s help. NPSTC will leave detailed comments to the Commission’s proposals on how to implement dispatchable location on the various technology platforms to those versed in those multiple platforms. However, NPSTC encourages the

⁸ NPRM at para 1.

Commission to adopt requirements that lead to a consistent positive experience from the end-user and PSAP perspective, regardless of the platform on which the 911 call is made.

NPSTC also recommends the Commission take note of the September 23, 2019 deadline included in RAY BAUM’S Act to complete rulemaking on dispatchable location for the above-listed technology platforms, and apply that same deadline to completion of the Commission’s Z-axis proceeding for 911 location on wireless services in PS Docket No. 07-114.⁹ NPSTC and other members of the public safety community emphasized in that proceeding the need to adopt Z-axis requirements that would provide floor-level accuracy in reporting the location from which a 911 call is made.¹⁰ NPSTC believes both public safety and the general public will benefit from a consistent and aggressive timeline in finalizing all aspects of the rules for dispatchable location on all telecommunications technology platforms, both “wired” and wireless.

Conclusion

NPSTC appreciates the opportunity to provide comments on proposed rules to implement Kari’s Law and Section 506 of RAY BAUM’S Act. In general, NPSTC supports the Commission’s proposals. As highlighted above, NPSTC recommends the Commission implement some formal process for compliance with the provisions of Kari’s Law as part of an equipment authorization process. The first line of implementation on the requirements in Kari’s Law lies with the MLTS equipment manufacturers to design systems with the required 911 direct dial capabilities. NPSTC also recommends the Commission implement a significant awareness program to help ensure those in the MLTS user and manager communities charged with compliance are aware

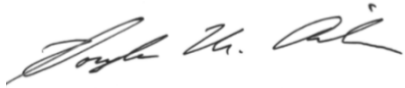
⁹ *Public Notice*, PS Docket No. 07-114, DA-18-928, released September 10, 2018.

¹⁰ See NPSTC Comments, PS Docket No. 07-114, submitted October 1, 2018.

of the new rules implemented pursuant to Kari's Law. These entities are not normally Commission licenses and therefore may not be inherently aware of Commission proceedings or rules.

With respect to the dispatchable location requirements of RAY BAUM'S Act, NPSTC encourages the Commission to implement rules that lead to a consistent experience from the end-user and PSAP perspective, regardless of the technology platform on which the 911 call is made. NPSTC also recommends the Commission apply the September 23, 2019 deadline included in RAY BAUM'S Act to complete rulemaking on dispatchable location to completion of the Commission's Z-axis proceeding for 911 location on wireless services.

Douglas M. Aiken, Acting Chairman

A handwritten signature in cursive script, appearing to read "Doug M. Aiken".

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